



Promoting the wise use of land

**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

SUBDIVISION REVIEW BOARD

MEETING DATE March 7, 2016	CONTACT/PHONE Stephanie Fuhs (805)781-5721 sfuhs@co.slo.ca.us	APPLICANT Chris Hurdle	FILE NO. CO 15-0055 SUB2015-00004
SUBJECT Hearing to consider a request by CHRIS HURDLE for a Vesting Tentative Parcel Map (CO 15-0055) to subdivide an existing 39,248 square foot parcel into four parcels of 6,286, 6,987, 7,017 and 18,949 square feet each for the purpose of sale and/or development. The project includes off-site road improvements to Orchard Avenue, Theodora Street and Frank Court. The project will result in the disturbance of approximately 23,000 square feet for subdivision related improvements. The division will not require any on-site roads. The project is located at 875 Theodora Street, on the southeast corner of Orchard Avenue and Theodora Street, approximately ¼ mile south of the West Tefft Street/Orchard Avenue intersection, within the urban reserve line of the community of Nipomo. The project is located in the Residential Single Family land use category within the South County sub-area of the South County Planning Area.			
RECOMMENDED ACTION 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Parcel Map CO 15-0055 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on January 28, 2016 for this project. Mitigation measures are proposed to address Air Quality, Biological Resources, Noise, Public Services and Utilities, Recreation, Transportation/Circulation, and Water and are included as conditions of approval.			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 092-573-021	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: Section 22.98.070- South County Sub-area Standards, Section 22.108.040 – Nipomo Community Standards			
LAND USE ORDINANCE STANDARDS: Section 22.22.080 – Subdivision Design Standards for the Residential Single-Family and Multi-Family Categories			
EXISTING USES: Single family residence on proposed Parcel 1			
SURROUNDING LAND USE CATEGORIES AND USES: <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Residential Single Family/Residences <i>South:</i> Residential Single Family/Residences</div><div><i>East:</i> Residential Single Family/Residences <i>West:</i> Residential Single Family/Residences</div></div>			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: South County Advisory Council, Public Works, Environmental Health, County Parks, CalFire, Nipomo Community Services District, APCD, HEAL SLO, RWQCB, Bicycle Advisory Committee	
TOPOGRAPHY: Nearly level to gently rolling	VEGETATION: Grasses, pines, cypress, ornamental landscaping
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Community sewage disposal system Fire Protection: CalFire	ACCEPTANCE DATE: November 12, 2015

ORDINANCE COMPLIANCE

Minimum Parcel Size

Section 22.22.080 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Single Family land use category. The standards are based on the type of access serving the property, the topography of the site, and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 6,000 square foot parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Access	Located on a local street*	6,000 square feet
Slope	Average slope is between 0 and 15%	6,000 square feet
Water Supply and Sewage Disposal	Community Water Community Sewer	6,000 square feet

*While the project site has frontage on Orchard Avenue, an arterial road, all of the proposed parcels will be accessed off of Theodora Street or Frank Court, local roads that qualify the parcels for the 6,000 square foot parcel size.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Inclusionary Housing Fees

Title 29, the Affordable Housing Fund, establishes an in-lieu fee to create a fund that would help to meet, in part, the housing needs of the County's very low, low, moderate income and workforce households. Section 22.12.080 of Title 22, the Land Use Ordinance, describes the options the applicant may choose to satisfy the requirement.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

PLANNING AREA STANDARDS

Section 22.98.070 – South County Sub-area Standards - Applicable standards include those included under the Nipomo Mesa Water Conservation Area pertaining to agricultural vs. non-agricultural water demand for land divisions and landscaping standards. In addition, circulation standards are applicable to the project.

Because the water demand for this subdivision is exclusively non-agricultural, the applicant will need to pay a supplemental water fee if adopted prior to map recordation. If the supplemental water fee is not adopted, mitigation measures included in the environmental document require off-setting for new water use similar to measures that are included in the County's recently adopted Water Ordinance along with turf area limits and additional water conservation measures.

Applicable circulation standards require right-of-way dedications for new land divisions, providing bike paths and traffic noise mitigation. Conditions of approval have been added to ensure compliance with the right-of-way standard. A bike lane exists on Orchard Avenue and may be widened depending on the level of improvements required by Public Works to meet the A-2 road standard. Traffic noise was evaluated during the environmental review since the project is located on Orchard Avenue, an arterial road. Mitigation measures were developed to reduce potential impacts to a level of insignificance and have been included as conditions of approval for the project.

Section 22.108.040 – Nipomo Community Standards – Applicable standards include: connection to community sewer, right-of-way dedication for all streets outside of the central business district for a minimum 8-foot parkway between the curb and sidewalk with landscaping improvements including at least one street tree per 50 feet of frontage and lawn or low-maintenance plants. As conditioned, the project complies with this standard. A drainage plan is also required for the project site. As conditioned, the project meets this standard.

COMMUNITY ADVISORY GROUP COMMENTS

The South County Advisory Council supported the project at their August 24, 2015 meeting.

AGENCY REVIEW

Public Works – Recommends conditions of approval for road improvements, improvement plans, drainage, stormwater, fees, additional map sheet, and CC&Rs

Environmental Health – Provide final will-serve letter from the NCSD prior to recordation of the final map, include stock conditions for community water and sewer

County Parks – Require Quimby fees

CalFire – No significant fire and life safety concerns, future building permits require a Fire safety plan

Nipomo Community Services District – No formal comments received, NCSD issued intent to serve letter dated February 11, 2015

HEAL SLO – Supports project; does not see any significant health impacts

Bicycle Advisory Committee – No comments received

RWQCB – No comments received

LEGAL LOT STATUS:

The one lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Terry Wahler, Senior Planner